

Plaintiff only has one Taxpayer ID: 1001153006 closed business seven years ago on May 19, 2014. Defendant impose lien, debt, and force payment. Plaintiff has proof and evidence that debt belongs to someone else from three year ago.

- 1. **Plaintiff is Sithipong Chanstapornkul**. Currently resides at 6661 Bubbling Brook Dr. Unit C. Las Vegas NV, 89107.
- Defendant is Nevada Governor Stephen F. Sisolak (State of Nevada Department of Taxation) at Las Vegas Grant Sawyer State Office Building 555 East Washington Ave, Suite 5100 Las Vegas, NV 89101 Phone: (702) 486-2500 Fax: (702) 486-2505 Clark County.
- 3. On or About May 19, 2014 Plaintiff rented a space to operate business at 240 S. Rainbow Blvd. Unit 1. Las Vegas NV, 89145. Thai Taste Restaurant LLC. Went out of business seven years ago on May 19, 2014. Also close out account with Defendant on May 19, 2014 Taxpayer ID: 1001153006 in amount owe \$7,063.14 agreed to pay. Defendant added additional \$5,384.31 penalty and fees. Original amount is Plaintiff paid in total \$3,300 had paid sixty six payments in the last five year \$50.00 per month.

Defendant breaches the agreement on November 14, 2019 and clear out Plaintiff bank account \$2,601.86 total with fee. Plaintiff remaining balance as of today August 24, 2021 is \$1,161.28. Defendant recently added additional \$43,249.36 from someone else name Charuwan Taxpayer ID: 1036011798 to Plaintiff after business closed for over seven year ago. Different Name and Different Entity. (Proof and Evidence page 1-10)

- 4. On or About November 14, 2019 Zions Bancorporation, N.A. dba Nevada State Bank (Legal Support Services) sent documents from Defendant to Plaintiff stating that <u>Taxpayer ID</u>: 1036011798 <u>under Charuwan belong to Plaintiff which is not true Defendant</u> <u>took money from plaintiff bank account in amount of \$2,601.86</u> <u>include fee.</u> Supporting documents are: (Proof Evidence page 2-7)
  - I. Business Card to contact Brett Lundberg revenue officer 2 agent of Defendant. (Proof Evidence page 8)
  - II. A letter Demand and Release of Withhold from Diedra Armstrong, Revenue Officer 3 agent of Defendant sign and date November 13, 2019 <u>Taxpayer ID: 1036011798 in amount of \$43,249.36 which title CHARUWAN.</u> (Proof Evidence page 9-10)

- 5. On or About February 5, 2020 first letter sent and February 25, 2020 sent second sent; to Brett Lundberg Revenue Officer Compliance Division agent of Defendant. Explaining Plaintiff only has one Taxpayer ID: 1001153006 anything else does not belong to Plaintiff. Defendant did not answer.
- 6. On or About August 7, 2020 Plaintiff sold condo to Jenny Mejia in amount of \$130,000. (Proof and Evidence Page 11)
- 7. On or about September 4, 2020 Clair Herrenra agent of STEWARD TITLE COMPANY receive a Lien Demand Notice sent by Defendant, later gave to Plaintiff. Melanie Moffit Department of Taxation Compliance Division-Carson City Nevada Defendant agent process Lien Demand Notice. Defendant put lien on real property \$56,643.12. Plaintiff told Steward Title Company, Plaintiff will pay only Taxpayer ID: 1001153006 remaining balance. Steward Title Company then contact, but Defendant did not answer. Plaintiff lost \$130,000. (Proof and Evidence Page 12)

- 8. Plaintiff sent ten letters. (Proof and Evidence Page 13,14 Certified)
  - 1. On or About February 5, 2020 first letter sent and February 25, 2020 second letter sent; to Brett Lundberg Revenue Officer Compliance Division agent of Defendant. 555 E. Washington Ave. Suite 1300, Las Vegas, Nevada, 89101. Defendant did not answer.
  - II. On or About September 4, 2020 Plaintiff sent letter to Melanie Moffit Department of Taxation Tax Compliance Department agent of Defendant. 1550 College Parkway, Suite 115 Carson City, NV 89706. Defendant did not answer.
  - III. On or About September 11, 2020 Plaintiff sent second letter Melanie Moffit Department of Taxation Tax Compliance Department agent of Defendant. 1550 College Parkway, Suite 115 Carson City, NV 89706. Certified Mail: 9507106631060255575825. Defendant did not answer.
  - IV. On or About September 23, 2020 Plaintiff sent two letters Both Melanie Moffit Department of Taxation Tax Compliance Department and James Devolld Chair Nevada Tax Commission agent of Defendant. 1550 College Parkway, Suite 115 Carson City, NV 89706. Certified Mail: 9507106619760267421322 and 9507106619760257421302. Defendant did not answer.

- On or About October 8, 2020 Plaintiff sent two letters to V. Nevada Governor Stephen F. Sisolak. Defendant. location Carson City and Las Vegas. State Capitol Building 101 N. Carson Street Carson City, NV 89701 and Grant Sawyer State Office Building 555 East Washington Ave, Suite 89101. Certified Mail: 5100 NV Las Vegas, 9507106631060282597708 and 9507106631060282597685. Defendant did not answer.
- On or About October 29, 2020 Plaintiff sent final two letters VI. to Defendant. Nevada Governor Stephen F. Sisolak. Both location Carson City and Las Vegas. State Capitol Building 101 N. Carson Street Carson City, NV 89701 and Grant Sawyer State Office Building 555 East Washington Ave, Suite Mail: Certified 5100 Las Vegas, NV 89101. 70201810000110878918. 7020181000011080058 and Defendant did not answer.

- 9. Plaintiff found more information links to Charuwan Chanmanee prove that Taxpayer ID: 1036011798 do belong to Charuwan Chanmanee.
  - www.casetext.com. And www.pacermonitor.com. Both shows case number 2:19-cv-00089-APG-VCF from UNITED STATE COURT DISTRICT OF NEVADA. (Proof and Evidence page, 15-19)
  - Plaintiff found more proof and evidence to support from www.pacer.gov , shows case in UNITED STATE DISTRIC COURT Docket number 2:19-cv-00089-APG-VCF. Title CHARUWAN CHANMANEE V. STATE OF NEVADA DEPARTMENT OF TAXATION; January 15, 2019. (Refer docket number for more information), (Proof and Evidence page, 20-22)

DEFENDANT HAD ALREADY PROVEN THAT Taxpayer ID: 1036011798 BELONG TO CHARUWAN CHANMANEE THREE YEARS AGO ON January 15, 2019 IN THE UNITED STATE DISTRIC COURT UNDER DOCKET 2:19-cv-00089-APG-VCF.

DEFENDANT USED SAME Taxpayer ID: 1036011798 FROM CHARUWAN CHANMANEE TO IMPOSE DEBT, LIEN, AND FORCE PAYMENT TO PLAINTIFF.

## Summary

- Defendant Breach the agreement on November 14, 2019 clear out bank account \$2,601.28. Used CHARUWAN CHANMANEE Taxpayer ID: 1036011798 in amount \$43,249.36 as excuse to take money out of Plaintiff bank account. (Proof and Evidence page 1-10)
- Defendant sent Steward Title Company Copy of "LIEN DEMAND NOTICE". On Plaintiff name (SITHIPONG CHANSTAPORNKUL), property at 6661 Bubbling Brook Drive Unit C. Las Vegas, NV 89107) in amount \$56,643.12 which matches CHARUWAN CHANMANEE Taxpayer ID: 1036011798. (Proof and Evidence page 12)
- Defendant did prove that Taxpayer ID: 1036011798 belong to CHARUWAN CHANMANEE January 15, 2019 in United State District Court under Docket number 2:19-cv-00089-APG-VCF. (Proof and Evidence page 15-22)

## **COST OF DAMAGE**

- This issue should have been avoided if Defendant answers and corrected mistake. Plaintiff mail ten time and call nothing came back from Defendant. Ignore and refuse to correct mistake causes damage. (Proof and Evidence Page 13-14)
- Plaintiff lost \$130,000.00 in sales, Bank account taken \$2,601.86 and court fee \$402. As of today August 24, 2021 still no answer from Defendant. (Proof and Evidence Page 2-7, 11-12)
- Plaintiff suffers greatly tried to sell condo to support cost of living.
   Defendant refuses to fix mistake. Cause great hardship to Plaintiff life during Covid-19.

### **PLAINTIFF DEMAND**

• \$133,003.86 USD to be paid to Plaintiff for loss and damage.

Sincerely Yours,

Sithipong Chanstapormkul.

Sithipong Chanstapornkul. (Plaintiff)

August 24, 2021

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## Case 2:21-cv-01589-APG-DJA Document 1 Filed 08/27/21 Page 10.of 32

NEVADA DEPARTMENT OF TAXATION  PAYMENT AGREEMENT  BUSINESS NAME		TID No.: 1001153006  Date: 5/19/14
NAME Thai Taste Restaurant LLC		
GUARANTOR	Social Security No.	Residençe Phone No.
Name Sithipong Chanstapornkul	Scale Security No.	Charles San San
Residence Address 6661 Bubbling Brook Dr., Unit C	City Las Vegas	State   Zip Code   NV   89107
This amount represents the following	axes, penalty and interest past due and page time periods and reasons:	
Sales/Use tax returns filed with partial or no remittance for	periods:7/2006 thru 11/2006, 1/2007, 2/20	07, 10/2007, 3/2008 thru 6/2010 &.
10/2010.		1,
amount.  The taxpayer agrees to make an If referenced account in the noted an	DEPOSIT required on the account. The NITIAL PAYMENT today towards the nount.	outstanding liability on the above
Further, the taxpayer attests to the intent of extinguish	ing the remaining liability for the above	referenced account as follows:
\$50.00 on or before the last day of each month, be This payment agreement is not subject to a 12-month to Description of OTHER SECURITY pledged to secure to the secure to	review by the Nevada Tax Commission	GIRLI PAIG III IGII.
Personal quaranty.		
The taxpayer understands and agrees as follows:  Payment plan requests will not be considered with interest. The balance of taxes due covered by this a .0075) per month or any portion thereof.	seresment reduest is subject to interes	i, oxiootivo vaiy i, acci, ci ci ci ci
All current and future taxes, when due, along w GOOD FUNDS to the NEVADA DEPT OF TAX TIMELY MANNER for the life of the agreement. Should the taxpayer fail to meet any condition of t collection of the above obligation would jeopardiz by the seizure of personal or real property, or b termination of the agreement  THE UNDERSIGNED UNDERSTANDS AND TO SECURE THE LIABILITIES	his agreement, or should the Department the State's interest, the balance, pluy any other legal method determine	nent determine that further delay in the sapplicable interest, may be collected necessary by the Department uput the STATUTORY LIENS IN ORDER NT AGREEMENT
Signature	$\mathcal{M}$	Date 5/ 19//4
RECEIVED	Signature Of Notary O	Dept of Taxation Employee
MAY 1 9 2014	My Commission Expires (Notar	· · · · · · · · · · · · · · · · · · ·
STATE OF NEVADA DEPARTMENT OF TAXATION		
APPROVED BY THE DEPARTMENT Authorized Representative		Date
EXECUTIVE APPROVAL		I Base
Signed		Date

## ZIONS BANCORPORATION, N.A.

LEGAL SUPPORT SERVICES 1875 South Redwood Road Salt Lake City, UT 84104 PHONE: (800)601-9582 FAX: (888)354-4821

November 14, 2019

SITHIPONG CHANSTAPORNKUL 6661 BUBBLING BROOK DR UNIT C LAS VEGAS NV 89107-1127

To Whom It May Concern,

Enclosed is a copy of a legal process served on Zions Bancorporation, N.A. dba Nevada State Bank ("Bank") by the Nevada Department of Taxation ("Creditor"). We are informing you of this demand in accordance with our policy of notifying customers when a legal process affecting customer accounts is served on the Bank. If you dispute the rights of the Creditor to levy your account, it is your responsibility to respond to the matter with the Creditor, and you should consult legal counsel about your rights.

If you have a safe deposit box, access will be restricted in accordance with the legal process we received.

We are required by law to comply with the legal process at the time and in the manner specified, unless we receive a release from the Creditor or a court order quashing or limiting the service.

Today we have debited the following account ending in #9912 in the amount of \$1,477.42.

A legal processing fee in the amount of \$100.00 has been assessed to your account.

Since this is a legal matter, the Bank is not able to advise you as to your rights and remedies. We recommend that you contact the Creditor and/or your attorney with legal questions you might have.

Nevada State Bank Legal Support Services

**Enclosure** 

GL0006



P.O. Box 990 Las Vegas, NV 89125-0990

SITHIPONG CHANSTAPORNKUL 6661 BUBBLING BROOK DR UNIT C LAS VEGAS NV 89107-1127

## **NOTICE OF INSUFFICIENT FUNDS**

Transactions Totaling	Account Number	Account Balance	Notice Date	Date Items Presented
\$50.00	*****9912	\$45.00-	11/26/2019	11/25/2019

The items listed below were presented for payment against insufficient funds in your account. Please refer to the status column for information on how each item was handled. To review transactions and check your account balance, please contact Customer Service at 1 (800) 462-3555.

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact customer service or visit your local branch.

Item	Amount	Status	Fee	Item	Amount	Status	Fee
152	\$50.00	PAID	\$35.00				
Total Insuffici	ent Funds	Fees Char	ged To You	r Account	\$35.00		

A division of Zions Bancorporation, N.A. Member FDIC

NEVADA STATE BANK

THE DOOR TO YOUR FUTURE

P.O. Box 990 Las Vegas, NV 89125-0990

SITHIPONG CHANSTAPORNKUL 6661 BUBBLING BROOK DR UNIT C LAS VEGAS NV 89107-1127

#### NOTICE OF OVERDRAWN ACCOUNTS

Dear Customer:

According to our records your checking account is overdrawn. Please make a deposit immediately to bring the account current and avoid assessment of additional overdraft fees.

 Today's Date:
 12-03-19

 Account Number:
 \*\*\*\*\*\*9912

 Date Overdrawn:
 11-25-19

 Amount Overdrawn:
 \$120.00

If we can answer any questions regarding your account, or if we can help you with any other financial needs, please contact Customer Service at 1 (800) 462-3555.

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact customer service or visit your local branch.

Sincerely,

Nevada State Bank

A division of Zions Bancorporation, N.A. Member FDIC

THE DOOR TO YOUR FUTURE

RLC BRANCH OPERATIONS CUSTOMER ASSISTANCE CENTER P.O. Box 25786. Salt Lake City, UT 84125

901

December 10, 2019

CM901A 0000923 01 AB 0.409 \*\*AUTO T4 1 3724 89107-112775 -C01-P00923-12

## յլոիդարինակարդիկիրիսիայունումիրիկինի



SITHIPONG CHANSTAPORNKUL 6661 BUBBLING BROOK DR UNIT C LAS VEGAS NV 89107-1127

RE: Notice Of Overdrawn Account Ending In: 9912

Dear SITHIPONG CHANSTAPORNKUL:

As a reminder the above referenced account has been overdrawn for 15 days. As of the date of this letter, the amount of the overdraft is \$168.00. Overdraft fees may continue to accrue daily, increasing the amount you owe.

If the overdraft has not already been paid, please remit the overdrawn amount by December 21, 2019, to my attention at the address noted below. You may also make a deposit to your account at any branch to cover the overdrawn amount.

If you have already made a deposit to cover this overdraft, please disregard this notice. If your records do not agree with this information, please contact me at the mailing address or phone number noted below, or you may visit your nearest bank office.

Your prompt attention to this matter is greatly appreciated.

Sincerely,

## Jourdain Bailey

Jourdain Bailey
Customer Assistance Center Representative
Nevada State Bank
P.O. Box 25786
Salt Lake City, UT 84125
(801) 215-0899
(800) 748-4755

Proof and Evidence Page 5 of 22

RLC BRANCH OPERATIONS CUSTOMER ASSISTANCE CENTER P.O. BOX 25786, SALT LAKE CITY, UT 84125

908

January 24, 2020

CM908B 0001617 01 AB 0.409 "AUTO T623404 89107-112775 -C01-P01618-12



SITHIPONG CHANSTAPORNKUL 6661 BUBBLING BROOK DR UNIT C LAS VEGAS NV 89107-1127

#### ACCOUNT CLOSING NOTIFICATION

Re: Account Number Ending In: 9912

Overdrawn Amount: \$288.00

Dear SITHIPONG CHANSTAPORNKUL:

This letter is to inform you that your above referenced account has been closed due to an extended overdraft. Effective immediately, checks presented will be returned "Account Closed." Additionally, any Visa Check card(s), ATM card(s) and/or Internet Banking tied to this account have been closed and are no longer available for use. If you have any questions or concerns, please contact RLC Branch Operations Customer Assistance Center at (800) 748-4755.

To avoid further collection attempts that may occur by a third party collection agency, please send a check for the overdrawn amount immediately to the above address - Attn: Overdraft Collections. You may also make a deposit at any branch if this alternative is more convenient. This overdraft and account closure may be reported to Chex Systems, which may affect your credit rating or your ability to open accounts at other financial institutions. If your records do not agree with this information, please contact RLC Branch Operations Customer Assistance Center or your local branch office.

Your prompt attention to this matter is greatly appreciated.

Sincerely,

RLC Branch Operations Customer Assistance Center

Proof and Evidence Page 6 of 22

PO BOX 166 OGDEN UT 84402

January 27, 2021

RETURN SERVICE REQUESTED

OUTSOURCE RECEIVABLES MANAGEMENT
PO BOX 166
1349 WASHINGTON BLVD
OGDEN, UT 84404
(801) 399-3743
(800) 325-2701

## 

PERSONAL AND CONFIDENTIAL SITHIPONG CHANSTAPORNKUL 6661 BUBBLING BROOK DR UNIT C LAS VEGAS NV 89107-1127 CREDITOR: Nevada State Bank

ACCOUNT #: 3593401

WEB ACCESS CODE: PAYNOW

PIN#: 5858127

**AMOUNT DUE: \$363.44** 

## DEMAND FOR PAYMENT OF DEBT

DEAR SITHIPONG CHANSTAPORNKUL,

THIS IS A DEMAND FOR PAYMENT IN FULL ON THE ABOVE REFERENCE ACCOUNT.

PREVIOUS NOTICES HAVE BEEN SENT TO YOU REGARDING YOUR PAST DUE OBLIGATION.

PLEASE SEND YOUR PAYMENT IN FULL TODAY TO CLEAR YOUR CREDIT RECORD IN THIS OFFICE. IF YOU DO NOT MAKE PAYMENT IN FULL ON THIS ACCOUNT IMMEDIATELY YOU MUST CALL OUR OFFICE TO MAKE SATISFACTORY ARRANGEMENTS WITH A CUSTOMER SERVICE REPRESENTATIVE.

YOU MAY TAKE ADVANTAGE OF THIS OPPORTUNITY TO RESOLVE YOUR DEBT ONLINE WITH A MAJOR CREDIT CARD BY VISITING OUR WEBSITE AND CLICKING OUR ONLINE PAYMENT OPTION. IF YOU WISH YOU MAY CALL OUR OFFICE TO SPEAK DIRECTLY TO AN ACCOUNT REPRESENTATIVE REGARDING YOUR ACCOUNT.

FOR SECURITY PURPOSES YOU MUST USE YOUR DESIGNATED ACCOUNT AND PIN NUMBER WHEN USING THE ONLINE PAYMENT OPTION.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

ACCOUNT #

**CLIENT NAME** 

AMOUNT DUE

3593401

Nevada State Bank

\$363.44

TOTAL AMOUNT DUE:

\$363.44

Detach this portion and return with your payment in the envelope provided.

Pay by credit card or e-check online at www.outsourcerec.com

VISA

E PRIORI

e-check

Mail To: OUTSOURCE RECEIVABLES MANAGEMENT PO BOX 166 OGDEN UT 84402 3593401 SITHIPONG CHANSTAPORNKUL 6661 BUBBLING BROOK DR UNIT C LAS VEGAS NV 89107-1127

**AMOUNT DUE: \$363.44** 



## STATE OF NEVADA

Department of Taxation
Compliance Division

## **Brett Lundberg**

Revenue Officer II

Grant Sawyer Building 555 E. Washington Avenue Suite 1300 Las Vegas, Nevada 89101

Telephone: (702) 486-6866 Fax: (702) 486-2372 Call Center: (866) 962-3707

E-mail: blundberg@tax.state.av.us Website: http://tax.nv.gov



STEVE SISOLAK
Governor

JAMES DEVOLLD
Chair, Nevada Tax Commission
MELANIE YOUNG
Executive Director

# STATE OF NEVADA DEPARTMENT OF TAXATION

Web Site: https://tax.nv.gov 1850 College Parkway, Suite 115 Carson City, Nevada, 89706-7937 Phone: (775) 684-2000 Fax: (775) 684-2020 In State Toll Free: (866) 962-3707

LAS VEGAS OFFICE Grant Sawyer Office Bidg, Suite 1300 555 E. Washington Avenue Las Vegas, Nevada, 89101 Phone: (702)486-2300 Fax: (702) 486-2373 RENO OFFICE 4600 Kietzke Lane Building L, Suite 235 Reno, Nevada, 89502 Phone: (775)687-9999 Fax: (775) 688-1303

HENDERSON OFFICE 2550 Paseo Verde Parkway, Suite 180 Henderson, Nevada, 89074 Phone: (702)486-2300 Fax: (702) 486-3377

LEGAL ORDER PROCESSING NEVADA STATE BANK 1875 REDWOOD RD. SALT LAKE CITY, UT 84104 Taxpayer ID: 1036011798 Case ID: 737951

Correspondence ID: 1900012757918

Withhold Number: 380863 Date: 11/13/2019

## Demand and Release of Withhold

RE: Withhold on: CHARUWAN

Entity/Person: SITHIPONG CHANSTAPORNKUL XXX-XX-

This letter will serve as both a **demand and release** of the withholding directive we filed with you on SITHIPONG CHANSTAPORNKUL.

Demand in the amount of \$43,249.36 is hereby made by the Department of Taxation on the withheld funds belonging or owing to the taxpayer named above now indebted to the State of Nevada for unpaid taxes.

In accordance with NRS Chapter 360.510, upon receipt of the aforesaid amount, the Department consents to a transfer or disposition of the remaining money, credits, or other personal property belonging to or owing to the taxpayer.

Your cooperation is appreciated.

Sincerely,

Diedra Armstrong, Revenue Officer 3

- 1	Date	Amount Paid	Department of Taxation Receipt #	Issued Bv
- 1		renount are	s operation of tenderit theories	loosed by
-				
				<b>}</b>



STEVE SISOLAK
Governor
JAMES DEVOLLD
Chair, Nevada Tax Commission
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Executive Director

# STATE OF NEVADA DEPARTMENT OF TAXATION

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HENDERSON OFFICE 2550 Paseo Verde Parkway, Suite 180 Henderson, Nevada, 89074 Phone: (702)486-2300 Fax: (702) 486-3377

LEGAL ORDER PROCESSING NEVADA STATE BANK 1875 REDWOOD RD. SALT LAKE CITY, UT 84104 Taxpayer ID: 1036011798
Case ID: 737951
Correspondence ID: 1900012757918
Withhold Number: 380863
Date: 11/13/2019

## Notice to Withhold

RE: NOTICE TO WITHHOLD (Pursuant to NRS360.510)

**Business Name: CHARUWAN** 

Entity/Person: SITHIPONG CHANSTAPORNKUL XXX-XX-

Information furnished by the Department of Taxation indicates that you have in your possession or under your control, credits, monles, or other personal property belonging to or owing to SITHIPONG CHANSTAPORNKUL. You are directed to make no disposition whatsoever of any credits, monles, or personal property, nor are you to pay any such debt unless authorized to do so by the Department of Taxation.

Pursuant to NRS 360.510, you are mandated to provide the Department, within 10 days of receipt of this notice, complete information regarding debts owed by you to SITHIPONG CHANSTAPORNKUL as well as credits, monies, and all other personal properties belonging to said party that are in your possession, or under your control. Enclosed please find the "Statement of Resources" form to be used to furnish the required information.

You are also advised that pursuant to NRS 360.510, you will be held liable for any transfer or disposition of personal property or debts covered by this notice.

A copy of NRS 360.510 is enclosed for your information. Should you have any questions regarding this Notice to Withhold, please contact Diedra Armstrong at (702)486-2340. Your cooperation in this matter is appreciated.

Sincerely

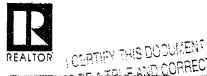
Diedra Armstrong, Revenue Officer 3

Enc: COL\_WHD-01.06 Receipt of Notice to Withhold COL WHD-01.06 Statements of Resources

COL\_WHD-01.06 Demand and Release of Withhold

Nevada Revised Statutes 360.510

Reply Envelope





Ç0:	PY OF THE ORIGINA RESIDENTIAL P	URCHASE AGREEMENT	
	(Joint Esc	erow Instructions)	
			08/07/20
Je See Back	enny Mejia bling Brook	("3uyer"), hereby offer	rs to purchase
ana rosa	porated area of LASVEGAS	C (C)	"Property"), within the
Zin 891	.07, A.P.N. #138-26-410-039	for the numbers price of \$	130.000.00
	One Hundred Thirty Thousand		
contained herein	n: BUYER 🗷 does –OR– 🗆 does not intend t	to occupy the Property as a residence.	
Buyer's (	Offer		
	NCIAL TERMS & CONDITIONS:		
\$ 1,000.00			
	denosited within one (1) business day fr	. Upon Acceptance of offer (as defined in Se	e, Earnest Money to $-0$
	2 business days if wired to: T Escrow H	folder,   Buyer's Broker's Trust Account, -	-OR- □ Seller's Broke
		e State of Nevada—punishable by up to four y	
	fine—to write a check for which there are insu		,
\$	B. ADDITIONAL DEPOSIT to be pla	aced in escrow on or before (date)	. т
		t be considered part of the EMD. (Any con	
	deposit should be set forth in Section 28 h		
\$ 126,100.00	C. THIS AGREEMENT IS CONTING	ENT UPON BUYER QUALIFYING FO	R A NEW LOAN:
Mary 11 (1) (1) (1) (1) (1) (1) (1) (1) (1)		Other (specify)	
\$	D. THIS AGREEMENT IS CONTIN	NGENT UPON BUYER QUALIFYIN	C TO ASSUME T
	FOLLOWING EXISTING LOAN(S):	TOERT GLOW BOTER GOADITTIN	d TO ASSOME II
	☐ Conventional, ☐ FHA, ☐ VA, ☐	Other (specify)	
	Interest:  Fixed rate, years - OR	Other (specify)	er further agrees to
	provide the Promissory Note and the most	t recent monthly statement of all loans to b	e assumed by Buyer
	within FIVE (5) calendar days of acceptar	nce of offer.	
\$	E. BUYER TO EXECUTE A PROMIS	SSORY NOTE SECURED BY DEED O	E TOHET PED TEDN
***************************************	IN THE "FINANCING ADDENDUM"	which is attached hereto.	r INUST LER LERN
\$ 2,900.00	F. BALANCE OF PURCHASE PRIC	E (Balance of Down Payment) in Good	Funds to be paid prior
	Close of Escrow ("COE").		· ····································
\$ 130,000.00	G. TOTAL PURCHASE PRICE. (This	price DOES NOT include closing costs, pr	orations, or other fees a
	costs associated with the purchase of the I		·
•		4000 A B B B B B B B B B B B B B B B B B	
•	THIS SPACE INTEN	NTIONALLY LEFT BLANK	

Each party acknowledges that he/she has read, understood, and agrees to each and every provision of this page unless a particular paragraph is otherwise modified by addendum or counteroffer.

Buyer's Name: Jenny Nejia Buyer's Name: Seller(S) INITIALS Property Address: 6661 Bubbling Brook C SELLER(S) INITIALS: /

Rev. 01/19 ©2019 Greater Las Vegas Association of REALTORS® Proof and Evidence Page 11 of 22

This form presented by Jonathan Lightfoot | Rock Realty Group | 1023952410 |



STEVE SISOLAK
Governor
JAMES DEVOLLD
hair, Newedo Tex Commission
MELANIE YOUNG
Executive Director

# STATE OF NEVADA DEPARTMENT OF TAXATION

Web Site: http://tax.nv.gov

1550 College Parkway, Suite 115 Carson City, Nevada 89706-7937 Phone: (775) 684-2000 Fax: (775) 684-2020

LAS VEGAS OFFICE Grant Sawyer Office Building, Suite1300 955 E. Washington Avenue Las Vegas, Nevada 83101 Phone: (702) 488-2300 Fax: (702) 488-2373 RENO OFFICE 4600 Kietzke Lane Building L. Suite 235 Reno, Nevada 69502 Phone: (775) 687-9899 Fax: (775) 688-1303

HENDERSON OFFICE 2550 Paseo Verde Parkway, Suite 180 Henderson, Nevada 89074 Phone: (702) 486-2300 Fax: (702) 486-3377

#### LIEN DEMAND NOTICE

DATE:

September 4, 2020

TOTAL NUMBER OF PAGES:

(INCLUDES COVER SHEET)

TO: CLAIRE HERRERA

COMPANY/AGENCY:

STEWART TITLE COMPANY

FAX NO.: 702-534-4783

PHONE NO.: 702-331-6900

FROM:

**MELANIE MOFFIT** 

DEPARTMENT OF TAXATION

COMPLIANCE DIVISION - CARSON CITY, NV

ESCROW NUMBER: 20006952-203-SLM

ACCOUNT NUMBER:

TID 1003986331, TID 1001153006, TID 1036011798

dba:

PRINCIPAL: SITHIPONG CHANSTAPORNKUL

CERTIFICATE NUMBER: 174081 R174081 380770

SITHIPONG CHANSTAPORNKUL with SSN xxx-xx:

matches TID 1001153006 & TID

1036011798.

For TID 1001153006: The current amount due is \$12,528.74 including interest calculated thru 09/30/2020 OR the current amount due is \$12,560.91 including interest calculated thru 10/31/2020 and: For TID 1036011798: The current amount due is \$44,114.38 including interest calculated thru 09/30/2020 OR the current amount due is \$44,326.32 including interest calculated thru 10/31/2020.

If paying by 09/30/20 - The TOTAL AMOUNT DUE to the STATE OF NEVADA DEPT OF TAXATION is \$56,643.12 calculated thru 09/30/2020 OR:

If paying by 10/31/20 - The TOTAL AMOUNT DUE to the STATE OF NEVADA DEPT OF TAXATION is \$56,887.23 calculated thru 10/31/2020.

Upon payment, a Lien Release will be prepared and sent. Please indicate in writing the address to which the lien release(s) should be sent.

If you need additional information, please contact: Melanie Moffit at (775) 684-2133. Thank you.



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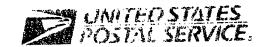
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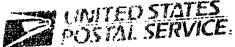
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1610	Adult Signature Restricted Delivery \$ Postage \$0.55	10/29/2020
<u>ر</u> _	Street and Apt. No., of PO Box No.  City, State, ZIP-48  PS Form 3800, April 2015 PSN 7530-02-000-9047	See Reverse for Instructions

## Chanmanee v. State of Nevada Department of Taxation

**Nevada District Court** 

Judge:Andrew P GordonReferred:Cam FerenbachCase #:2:19-cv-00089

Nature of Suit 890 Other Statutes - Other Statutory Actions

Cause Civil Miscellaneous Case

 Case Filed:
 Jan 15, 2019

 Terminated:
 Apr 10, 2019

Docket Parties (2)

Last checked: Sunday Jul 14, 2019 3:03 AM PDT

Defendant

State of Nevada Department of Taxation

Represented By

David J Pope
Nevada Attorney General'S Office
contact info

Robert E. Werbicky Peel Brimley LLP contact info

**Plaintiff** 

Charuwan Chanmanee 240 S. Rainbow Blvd. Unit 1 Laŝ Vegas, NV 89145

#### Docket last updated: 01/01/2021 11:59 PM PST

#### Wednesday, April 10, 2019

18 order Judgment Wed 04/10 10:07 AM

JUDGMENT in favor of Defendant State of Nevada Department of Taxation and against Plaintiff Charuwan Chanmanee. The case is Dismissed for lack of subject matter jurisdiction. Signed by Clerk of Court Debra K. Kempi on 4/10/2019. (Copies have been distributed pursuant to the NEF - SLD)

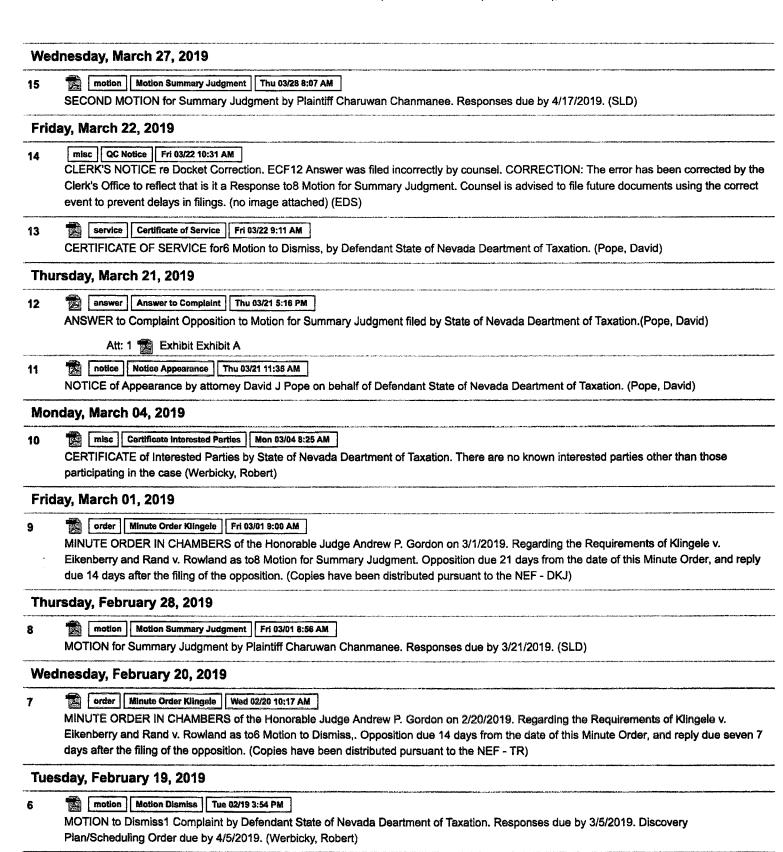
17 2 pgs order Order on Motion to Dismiss Order on Motion for Summary Judgment Wed 04/10 9:49 AM

ORDER Granting Defendant's Motion to Dismiss. The Complaint is Dismissed for lack of subject matter jurisdiction and the Clerk of Court is instructed to close this case. Plaintiff's and 15 Motions for Summary Judgment are Denied as moot. Signed by Judge Andrew P. Gordon on 4/10/2019. (Copies have been distributed pursuant to the NEF - SLD)

#### Thursday, March 28, 2019

16 order Minute Order Klingele Thu 03/28 8:08 AM

MINUTE ORDER IN CHAMBERS of the Honorable Judge Andrew P. Gordon on 3/28/2019. Regarding the Requirements of Klingele v. Eikenberry and Rand v. Rowland as to15 Motion for Summary Judgment. Opposition due 21 days from the date of this Minute Order, and reply due 14 days after the filing of the opposition. (Copies have been distributed pursuant to the NEF - SLD)



Tuesday, January 29, 2019

5

notice Notice Other Wed 01/30 9:25 AM

NOTICE re Service of Defendant by Charuwan Chanmanee.(SLD)

Att: 1 Registered Mail Receipt

#### Monday, January 28, 2019

4 minord Minute Order Mon 01/28 12:32 PM

ENTERED IN ERROR MINUTE ORDER IN CHAMBERS of the Honorable Judge Andrew P. Gordon on 1/28/2019. This case has been assigned to the Honorable Andrew P. Gordon. Judge Gordon's Chambers Practices, which are posted on the U.S. District Court, District of Nevada public website, may also be accessed directly via this hyperlink: [LINK:www.nvd.uscourts.gov] (no image attached) (Copies have been distributed pursuant to the NEF - MAJ) Modified on 1/28/2019 (MAJ)

#### Thursday, January 17, 2019

3 minord Minute Order Thu 01/17 9:22 AM

MINUTE ORDER IN CHAMBERS of the Honorable Judge Andrew P. Gordon on 1/17/2019. This case has been assigned to the Honorable Andrew P. Gordon. Judge Gordon's Chambers Practices, which are posted on the U.S. District Court, District of Nevada public website, may also be accessed directly via this hyperlink: [LINK:www.nvd.uscourts.gov] (no image attached) (Copies have been distributed pursuant to the NEF - MAJ)

#### Wednesday, January 16, 2019

2 notice Advisory Letter Pro Se non-habeas Wed 01/16 11:09 AM
ADVISORY LETTER to litigant. (SLD)

#### Tuesday, January 15, 2019

1 cmp Complaint Wed 01/16 11:03 AM

COMPLAINT against State of Nevada Department of Taxation (Filing fee \$400) by Charuwan Chanmanee. Proof of service due by 4/15/2019. (SLD)

Att: 1 To Civil Cover Sheet,

Att: 2 Receipt #NVLAS061489

utility Assign Judges in Civil Case Tue 01/15 3:47 PM

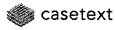
Case assigned to Judge Andrew P. Gordon and Magistrate Judge Cam Ferenbach. (RT)

**Continue to Create Account** 

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From Casetext: Smarter Legal Research

# Chanmanee v. Nev. Dep't of Taxation

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

Apr 10, 2019

Case No.: 2:19-cv-00089-APG-VCF (D. Nev. Apr. 10, 2019)

Copy Citation

Download PDF

Check Treatment

Case No.: 2:19-cv-00089-APG-VCF

04-10-2019

CHARUWAN CHANMANEE, Plaintiff v. STATE OF NEVADA DEPARTMENT OF TAXATION, Defendant



Red flags, copy-with-cite, case summaries, annotated statutes and more.

Learn more >

ANDREW P. GORDON UNITED STATES DISTRICT JUDGE

# Order Granting Motion to Dismiss and Denying Motions for Summary Judgment

[ECF Nos. 6, 8, 15]

Plaintiff Charuwan Chanmanee filed this lawsuit against the State of Nevada Department of Taxation (the Department) contending the Department incorrectly assessed over \$40,000 in taxes against him. The Department moves to dismiss, arguing it has not been properly served, the complaint does not identify a basis for subject matter jurisdiction, and the Tax

Injunction Act deprives the court of subject matter jurisdiction because there is a plain, speedy, and efficient remedy in state court. Chanmanee responds by filing two motions for summary judgment, arguing he properly served the Department by registered mail and there was no plain, speedy, and efficient remedy because his calls to the Department went unanswered. He does not identify a basis for this court to exercise subject matter jurisdiction.

Federal district courts are courts of limited jurisdiction, deriving their power to hear cases from specific congressional grants of jurisdiction. U.S. v. Sumner, 226 F.3d 1005, 1009 (9th Cir. 2000). The complaint in this case alleges only a state law claim for an allegedly incorrectly assessed state tax, so there is no federal question jurisdiction. See 28 U.S.C.\$ 1331 (granting federal district court jurisdiction over "all civil actions arising under the Constitution, laws, or treaties of the United States"). Pursuant to 28 U.S.C. § 1332, federal district courts have original \*2 jurisdiction over civil actions in diversity cases "where the matter in controversy exceeds the sum or value of \$75,000" and where the matter is between "citizens of different States." Diversity jurisdiction requires complete diversity, meaning the plaintiff cannot be a citizen of the same state as any defendant. Exxon Mobil Corp. v. Allapattah Servs., Inc., 545 U.S. 546, 553 (2005). "For the purposes of diversity jurisdiction, a State is not a citizen of itself." Dep't of Fair Employment & Hous. v. Lucent Techs., Inc., 642 F.3d 728, 737 (9th Cir. 2011) (quotation omitted). "Thus, neither a state nor a state agency [can] be a party to a diversity action." Id. (quotation omitted).

As the party seeking to invoke this court's jurisdiction, Chanmanee bears the burden of proving the court has jurisdiction. Tosco Corp. v. Cmtys. for a Better Env't, 236 F.3d 495, 499 (9th Cir. 2001). Chanmanee has not met his burden because neither his complaint nor the papers he filed in this case identifies a basis for this court to exercise subject matter jurisdiction. I therefore grant the Department's motion to dismiss and deny as moot Chanmanee's motions for summary judgment.

IT IS THEREFORE ORDERED that defendant State of Nevada Department of Taxation's motion to dismiss (ECF No. 6) is GRANTED. The plaintiff's complaint is dismissed for lack of subject matter jurisdiction, and the clerk of court is instructed to close this case.

IT IS FURTHER ORDERED that plaintiff Charuwan Chanmanee's motions for summary judgment (ECF Nos. 8, 15) are DENIED as moot.

DATED this 10th	day of April, 2019.
-----------------	---------------------

<u>/s/\_\_\_\_\_</u>

ANDREW P. GORDON

Case 2:19-cv-00089-APG-VCF Document 1 Filed 01/15/19 Page 1 of 12

Pro Se 1 (Rev. 12/1	16) Complaint for a Civil Case				
		TES DISTRICT COURT  for the  District of Nevada			
(Write the full na if the names of a please write "set page with the ful	»γ».	JURY THAI: (CHEER DAIR)  FILED —— RECEIVED —— RECEIVED —— SERVED ON —— COUNSELPARTIES OF RECORD			
(Write the full no names of all the	Neuda Department of  Defendant(s)  ame of each defendant who is being sued. If the defendants cannot fit in the space above, please hed" in the space and attach an additional page of names.)	JAN 15 2019    CLERK US DISTRICT COURT   DISTRICT OF NEVADA   DEPUTY			
COMPLAINT FOR A CIVIL CASE					
I. The l	Parties to This Complaint				
A.	The Plaintiff(s)				
Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.					
	Name	Charuwon Chanmanee			
	Street Address	210 S. Rainbow Blvd. unit 1			

#### B. The Defendant(s)

City and County
State and Zip Code
Telephone Number

E-mail Address

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Charuwan1@outLook.com

Page 1 of 5

Case 2:19-cv-00089-APG-VCF Document 1 Filed 01/15/19 Page 9 of 12

4

Please make the correction. Also I need a <u>no change letter</u> stating my balance is current \$0.00 and I will also file at US District Court then I will mail you a docket number.

Thank you

Charuwan Chanmanee

Taxpayer ID: 1036011798-001

Case 2:19-cv-00089-APG-VCF Document 1 Filed 01/15/19 Page 10 of 12



STEVE SISOLAK
Governor
JAMES DEVOLLD
Chair, Nevade Tax Commission
MELANIE YOUNG
Executive Director

# STATE OF NEVADA DEPARTMENT OF TAXATION

Web Site: https://tax.nv.gov

1550 College Parkway, Suite 115 Carson City, Neveda 89708-7937 Phone: (775) 884-2000 Fax: (775) 884-2020

LAS VEGAS OFFICE
Grant Sawyer Office Building, Suite 1300
885 E. Washington Avenue
Las Vegas, Nevada 83101
Phone: (702) 488-2300 Fec (702) 488-2373

RENO OFFICE 4600 Kietzke Lane Building L, Suite 235 Reno, Nevada 89502 Phone: (775) 687-9999 Fax: (776) 888-1303 5

HENDERSON OFFICE 2550 Passo Verde Perkway, Suite 180 Henderson, Nevada 89074 Phona: (702) 488-2300 Fax: (702) 488-3377

January 10, 2019

Thai Taste 240 S Rainbow Blvd. Ste. 1 Las Vegas, NV 89145-5381

#### NOTICE OF DELINQUENT TAXES

Re: TID No: 1036011798

Docket No: 507336 Total Amounts Due w/Interest through 1/19: \$41,242.15

An audit deficiency was sent to you on November 9, 2018 in the amount of \$38,045.49 for your sales & use tax and/or a modified business tax audit liability. Inasmuch as you failed to pay the tax due or enter into a payment plan within the 45-day period as prescribed by Nevada Revised Statutes, a 10% penalty has been assessed under NRS 360.400 for failure to pay the audit deficiency in a timely manner.

Тах Туре	Original Amount	10% Penalty Added	Additional Interest Added thru	Total Amount
	Due		Jan. 2019	Due
Sales/Use tax	\$38,045.49	\$2,973.64	\$223.02	\$41,242.15

Be advised that the audit is now considered closed and final and that the interest will continue to accrue at the rate of .75 percent per month on the unpaid tax liability, or on any portion thereof.

Please pay the above deficiency within 15 days from the date of this letter, thereby avoiding any possibility of legal action on our part. The Nevada Revised Statutes provide for tax liens to insure payment of delinquent taxes. Liens will be filed where applicable. A return envelope has been enclosed for your convenience in remitting payment. Your cooperation in the above matter will be appreciated.

If you have any questions, please contact me at (775) 684-2013.

Sincerely,

Nicky Baily, Accountant Tech I

**Executive Section** 

Enclosure: Return envelope

Proof and Evidence Page 22 of 22

